

# **EXHIBIT 13**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMERICAN CIVIL LIBERTIES UNION, )  
et al., )

Plaintiffs, )

v. )

ALBERTO R. GONZALES, in his official )  
capacity as Attorney General of the United )  
States, )

Defendant. )

Civil Action No.  
98-CV-5591

**FREE SPEECH MEDIA, LLC/PUBLIC COMMUNICATORS, INC.'S RESPONSES AND  
OBJECTIONS TO DEFENDANT'S FIRST SET OF INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Free  
Speech Media, LLC/Public Communicators, Inc. ("Plaintiff") responds and objects to Defendant  
Alberto R. Gonzales's First Set of Interrogatories ("Interrogatories") as follows:

**GENERAL OBJECTIONS**

1. Plaintiff objects to the Interrogatories to the extent the instructions and demands therein purport to impose obligations in addition to, beyond, or different from those set forth in the Federal Rules of Civil Procedure and the Rules of Civil Procedure of the United States District Court for the Eastern District of Pennsylvania.
2. Plaintiff objects to the Interrogatories to the extent they call for the identification or disclosure of information that is neither relevant to the claims and defenses of any party in this action nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff submits these responses and objections without conceding the relevance or materiality of the subject matter of any interrogatory.

RESPONSE TO INTERROGATORY NO. 11

Plaintiff objects to this Interrogatory because it calls for identification of information not within the possession, custody or control of the Plaintiff. Subject to the foregoing and to the General Objections, Plaintiff states that it has no information responsive to this request.

INTERROGATORY NO. 12

Identify the number or proportion of ACLU members who have provided a credit card number to a website in order to purchase membership, online content, and/or other items for sale, to make a donation, or to make a reservation (such as a rental car or hotel reservation).

RESPONSE TO INTERROGATORY NO. 12

Plaintiff objects to this Interrogatory because it calls for identification of information not within the possession, custody or control of the Plaintiff. Subject to the foregoing and to the General Objections, Plaintiff states that it has no information responsive to this request.

INTERROGATORY NO. 13

For each website plaintiff, identify a representative sample of webpages on your website which contains material about which you fear prosecution under COPA, as referenced in Paragraph 2 in the section titled "The Impact of COPA on Plaintiffs" on page 24 of the Amended Complaint that "[P]laintiffs fear prosecution under COPA for communicating, sending, displaying, or distributing material that might be deemed 'harmful to minors' by some community in the United States."

RESPONSE TO INTERROGATORY NO. 13

Plaintiff objects that this Interrogatory is premature, unreasonably cumulative and duplicative of Document Request No. 1, and calls for identification of information that is in the public domain. Plaintiff also objects that the phrases used to define "representative sample,"

including “distribution of characteristics,” “degree of explicitness of sexual content,” and “population or universe” are vague and ambiguous. Subject to the foregoing and to the General Objections, Plaintiff refers to the Web content identified in the Amended Complaint and responds as follows:

1) Plaintiff’s website contains a video about Radical Sex Workshops, which contains candid and explicit discussions and depictions of various sexual acts:

[http://www.freespeech.org/videodb/index.php?action=view&video\\_id=9571&media\\_id=5324&browse=0](http://www.freespeech.org/videodb/index.php?action=view&video_id=9571&media_id=5324&browse=0) (last viewed October 24, 2005);

2) Video “Women of Vision” parts 2 and 3 contains candid and explicit depictions of sexual acts and nude images of women

[http://www.freespeech.org/videodb/index.php?action=detail&video\\_id=9833&browse=0](http://www.freespeech.org/videodb/index.php?action=detail&video_id=9833&browse=0) (last viewed October 24, 2005),

[http://www.freespeech.org/videodb/index.php?action=detail&video\\_id=9835&browse=0](http://www.freespeech.org/videodb/index.php?action=detail&video_id=9835&browse=0) (last viewed October 24, 2005);

3) Plaintiff’s website contains the video “TLC2” about the Tarheel Leather Club in North Carolina

[http://www.freespeech.org/videodb/index.php?action=detail&video\\_id=9554&browse=0](http://www.freespeech.org/videodb/index.php?action=detail&video_id=9554&browse=0) (last viewed October 24, 2005), which contains candid and explicit discussions of, among other things, dominant and submissive sexual fetishes;

4) Plaintiff’s website contains the video “Super Natural Premiere” describing in candid and explicit detail the author’s sexual encounter with his brother as a young child

[http://www.freespeech.org/videodb/index.php?action=detail&video\\_id=9502&browse=0](http://www.freespeech.org/videodb/index.php?action=detail&video_id=9502&browse=0) (last viewed October 24, 2005);

5) <http://community.freespeech.org/> (last viewed October 27, 2005) and the links accessible therein contain or may contain in the future, among other things, candid and explicit comments or questions on a diverse category of topics posted directly by internet web users.

INTERROGATORY NO. 14

For each website plaintiff, identify a representative sample of webpages on your website which you believe contains material that has serious literary, artistic, political, scientific and/or social value for adults.

RESPONSE TO INTERROGATORY NO. 14

Plaintiff objects to the extent this Interrogatory calls for the identification of information that is neither relevant to the claims and defenses of any party in this action nor reasonably calculated to lead to the discovery of admissible evidence. COPA does not take into account the subjective beliefs of speakers with regard to the content they provide on the Internet. Additionally, under COPA, it is irrelevant whether material has "social value for adults." Plaintiff further objects that the phrases used to define "representative sample," including "distribution of characteristics," "degree of explicitness of sexual content," and "population or universe" are vague and ambiguous. Plaintiff also objects that this Interrogatory is premature and calls for identification of information that is in the public domain. To the extent this Interrogatory purports to inquire whether Plaintiff believes that any of the webpages on its website are obscene, Plaintiff hereby responds that it does not believe any of its webpages are obscene.



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### TLC 8: Radical Sex Workshops

"The last thing your bottom wants to hear is ouch . . ."

**Series:** TLC: Year With a Leather Club

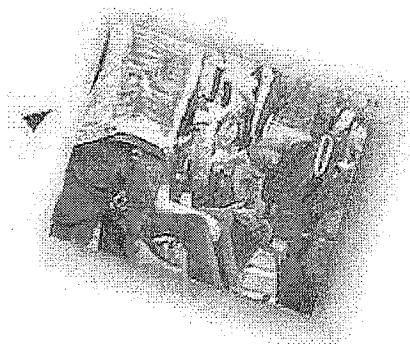
**Episode:** TLC 8: Radical Sex Workshops

**Produced:** November 29, 1999 at 22:00:00

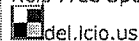
#### Viewing options

**Play** RealMedia format (8m 25s; for dial-up users)

**Producer:** Cool Cat Daddy (<http://www.nr.infi.net/~rriddle>)



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### TLC 2

An 8-part series about the Tarheel Leather Club in North Carolina, investigating their social, political, and (yes) sexual exploits.

**Series:** TLC

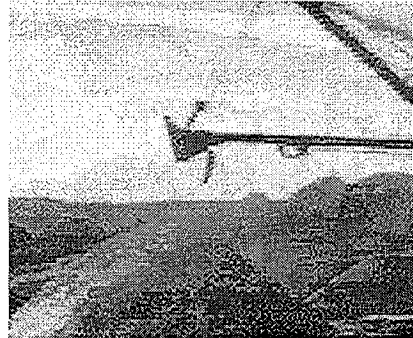
**Episode:** TLC 2

**Produced:** November 29, 1999 at 22:00:00

### Viewing options

**Play** RealMedia format (13m 6s; for broadband users)

**Producer:** Cool Cat Daddy Productions  
(<http://www.nr.infi.net/~rriddle>)



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**User Functions****Username:****Password:**

Login

Don't have an account yet? Sign up as a New User

**Recent Forum Posts**

Order By: New Views Posts  
Latest 5 Forum Posts

**Peace Processes**

By: 13th~  
On: 08/24/06 00:21 AM  
Views 561 Replies 9

**For whom they work..**

By: kathaksung  
On: 08/22/06 21:22 PM  
Views 633 Replies 22

**The real story beh..**

By: kathaksung  
On: 08/22/06 21:13 PM  
Views 1873 Replies 45

**support the WM3**

By: cmlayton  
On: 08/22/06 15:24 PM  
Views 23 Replies 1

**support the WM3**

By: cmlayton  
On: 08/22/06 15:07 PM  
Views 17 Replies 0

**Who's Online**

Guest Users: 6

**Members**

Member List

**Events****Site Events****Monday 11-Sep**

• Robert Bly and Martin Prechtel Evening Sept 11 at Hamline University

**Links**

Stuff We Like  
Moveon.org  
International ANSWER  
Common Dreams  
FAIR  
Occupation Watch  
Alternet  
COA-Indepent News Portal  
Independent Media  
Marketplace

**Free Speech TV Rapid Response Program**

Thursday, August 10 2006 @ 01:48 PM MDT

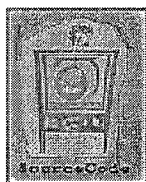


**CPC: Should the U.S. Go To War With Iran?:** Congressional Progressive Caucus hearings on the potential outcomes of a preemptive war against Iran. Click here to watch the streaming video.

**Islam and Democracy:** Islam and Democracy explores how members of the Arab world view current U.S. foreign policy, including U.S. support for Israeli aggression. Includes interviews with Hamas, and Hezbollah. Click here to watch the streaming video.

**SourceCode Season 3**

Saturday, May 20 2006 @ 05:26 PM MDT

**SourceCode Season 3**

The border dispute is about more than fences and radar. It's about what it means to provide humanitarian aid. We'll have an update on the NO MORE DEATH's case where two humanitarian activists are about to be tried for treason. Then, a whistleblower inside the government shares information on no-bid contracts for detention camps -- Kellogg, Brown and Root is readying 20,000 beds for "an immigration emergency." And meet a group of students in LA who are organizing some of the largest street rallies in U.S. history. View SourceCode TV Schedule.

**Free Speech TV Online Community**

Tuesday, April 12 2005 @ 01:14 PM MDT

**Welcome to the Free Speech Network Online Community.**

The FSN Online Community is a gathering place for sharing information, organizing activities, and collaborating on projects. Using tools such as weblogs, calendars, forums, meetup, and mailing lists, we hope to provide a comprehensive and dynamic space in which to engage social activists, artists, teachers, and various community organizers.

Sign up today and start exploring FSN Online Community's various features, such as event calendars, journals, forums, blogs and your own community.

**How to apply for your Community and Blog:**

In order to start your community or blog, you should be a member of free speech online community first. Sign up today and be a member of Online Community.

**Community:**

The Free Speech Network is happy to install and host a community for your group or organization. Apply for your community here!

**Blog:**

The Free Speech Network Blogs are open for individuals who want to share their opinions on certain topics, activities, and lives with our public audience. Apply for your blog today!

**Recent Blog Posts**

Why Do You Need a 9-11 Conspiracy?

Two New Books

Salvation Army: takes Tax Dollars, Purges Gays and Lesbians

Short VIDEO: Longest-Running Fraud in History

NFC CARE: TMAP, TEENSCREEN, SOS, MOTHERS ACT, ELDER CARE, EVERYBODY ELSE and PhRMA FACTORY

Independence Day!

CHEN DE PING will have her surgery on Thursday!

An animated gif for FSTV

**ACTION ALERT!**

What I know for sure.

Tree Hugger TV

NetSquared.org Conference

Vlogging and Interactivity

Serena Doesn't Live Here Anymore...

And so it goes..

**Forums**

Free Speech Community Forums

**Vote**

**What is your favorite feature on Free Speech Network Site?**

- ☐ Featured Videos
- ☐ Special Reports
- ☐ Discussion Forums
- ☐ Program Highlights
- ☐ TV Schedule
- ☐ Search
- ☐ Vote Results

527 votes | 16 comments

**Recent Journal Posts**

WITH THE SPREAD OF UNEQUALITY, WIDE GAP BETWEEN THE EAST AND WEST, PREJUDICE, THEREFORE, THERE HAD TO BE A LOT OF PROBLEMS.

pirate school is coming to Denver  
Confusion

hazy daze

I will not go quietly.

hmmm...

The Cancerous Religion.

Great VIDEO Link!

questions

It is the theorem that defines what we can observe. (Einstein)



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